

UNITED STATES DISTRICT COURT

for the
District of Arizona

United States of America)

v.)

Luis Raul Calderon-Melendez,
a.k.a.: Luis Raul Calderon Melendez,
a.k.a.: Luis Calderon-Melendez,
(A098 914 960)Defendant

Case No.

17-7403MS

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of July 21, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

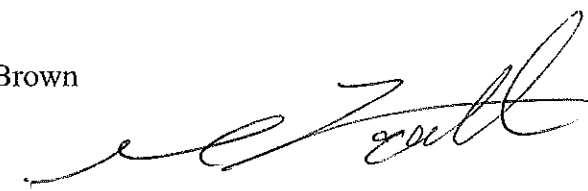
Luis Raul Calderon-Melendez, an alien, was found in the United States of America at or near Glendale, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Nogales, Arizona, on or about May 3, 2005, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1).

I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:


See Attached Statement of Probable Cause Incorporated By Reference Herein

REVIEWED BY: Charles E. Bailey, P.S. for AUSA Brandon Brown

☒ Continued on the attached sheet.

 Complainant's signature

 Marcus D. Leggett,
 Deportation Officer
 Printed name and title

Sworn to before me and signed in my presence.

Date: July 24, 2017

 Judge's signature
City and state: Phoenix, Arizona
 Bridget S. Bade,
 United States Magistrate Judge
 Printed name and title

STATEMENT OF PROBABLE CAUSE

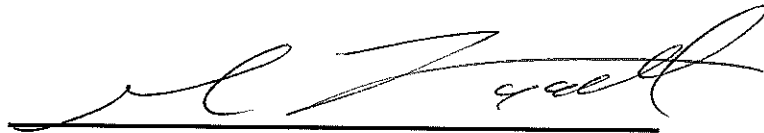
I, Marcus D. Leggett, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Deportation Officer with United States Immigration and Customs Enforcement (ICE). I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On July 21, 2017, Luis Raul Calderon-Melendez was booked into the Glendale City Jail (GCJ) by the Glendale Police Department (GPD) on local charges. GPD suspected Calderon-Melendez to be illegally present in the United States and contacted the Phoenix ICE Immigration Alien Response Terminals for assistance. ICE Officer S. Black telephonically interviewed Calderon-Melendez and determined him to be a citizen of Mexico, illegally present in the United States. On the same date, an immigration detainer was lodged with the GCJ. On July 21, 2017, Calderon-Melendez was released from the GCJ and transported to the Phoenix ICE office for further investigation and processing. Calderon-Melendez was held in administrative custody until his criminal and immigration records could be obtained and his identity confirmed.
3. Immigration history checks revealed Luis Raul Calderon-Melendez to be a citizen of

Mexico and a previously deported criminal alien. Calderon-Melendez was removed from the United States to Mexico through Nogales, Arizona, on or about May 3, 2005, pursuant to an order of removal issued by an immigration judge. There is no record of Calderon-Melendez in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security to return to the United States after his removal. Calderon-Melendez's immigration history was matched to him by electronic fingerprint comparison.

4. Criminal history checks revealed that Luis Raul Calderon-Melendez was convicted of Theft, a felony offense, on December 8, 2004, in the Superior Court of Arizona, Maricopa County. Calderon-Melendez was sentenced to three (3) months' incarceration and two (2) years' probation. Calderon-Melendez's criminal history was matched to him by electronic fingerprint comparison.
5. On July 21, 2017, Luis Raul Calderon-Melendez was advised of his constitutional rights. Calderon-Melendez freely and willingly acknowledged his rights and declined to make any further statements.
6. For these reasons, this affiant submits that there is probable cause to believe that on or about July 21, 2017, Luis Raul Calderon-Melendez, an alien, was found in the United States of America at or near Glendale, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States

at or near Nogales, Arizona, on May 3, 2005, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1).

A handwritten signature in black ink, appearing to read 'M. Leggett', written over a horizontal line.

Marcus D. Leggett,
Deportation Officer,
Immigration and Customs Enforcement

Sworn to and subscribed before me
this 24th day of July, 2017.

A handwritten signature in black ink, appearing to read 'Bridget S. Bade', written over a horizontal line.

Bridget S. Bade,
United States Magistrate Judge